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Atty. Dkt. No. 065691-0163

Appl. Serial No. 09/312,485

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicants: Patrice DEBREGEAS et al.

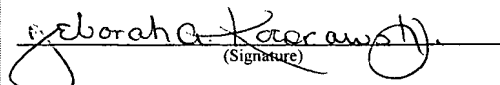
Title: GRANULES CONTAINING  
A PLANT SUBSTANCE  
AND PROCESS FOR  
PREPARING THEM

Appl. No.: 09/312,485

Appl. Filing Date: 05/17/1999

Examiner: Sharareh, Shahnam J.

Art Unit: 1617

<b>CERTIFICATE OF EXPRESS MAILING</b>	
I hereby certify that this correspondence is being deposited with the United States Postal Service's "Express Mail Post Office To Addressee" service under 37 C.F.R. § 1.10 on the date indicated below and is addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.	
EV 459168069 US (Express Mail Label Number)	January 13, 2005 (Date of Deposit)
Deborah A. Kocorowski (Printed Name)	
 (Signature)	

**REQUEST FOR CONTINUED EXAMINATION (RCE)**  
**TRANSMITTAL**

Mail Stop **RCE**  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

This is a Request for Continued Examination (RCE) under 37 C.F.R. § 1.114 of the above-identified application. This RCE and the enclosed items listed below are being filed prior to the earliest of: (1) payment of the Issue Fee (unless a petition under 37 C.F.R. § 1.313 is granted); (2) abandonment of the application; or (3) the filing of a Notice of Appeal to the U.S. Court of Appeals for the Federal Circuit under 35 U.S.C. § 141, or the commencement of a civil action under 35 U.S.C. § 145 or § 146 (unless the appeal or civil action is terminated).

1. Submission **required** under 37 C.F.R. § 1.114: (check items that apply).
  - a. Previously submitted:
    - ☐ Please enter and consider the amendment/reply previously filed on \_\_\_\_.
    - ☐ Please consider the Affidavit(s)/Declaration(s) previously filed on \_\_\_\_ but not considered.
    - ☐ Please consider the arguments in the Appeal Brief or Reply Brief under 37 C.F.R. § 1.116 previously filed on \_\_\_\_.

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☐ Other \_\_\_\_.

b. Enclosed are:

☒ Small Entity status under 37 C.F.R. § 1.9 and § 1.27 has been established by a previous assertion of Small Entity status.

☒ Amendment and Response Under 37 C.F.R. § 1.114 (8 pages).

☒ Information Disclosure Statement Under 37 C.F.R. § 1.56 (2 pages).

☒ Form PTO/SB/08 (1 page) with copies of four (4) listed references.

Miscellaneous:

☐ Suspension of action of the above-identified application is requested under 37 C.F.R. § 1.103(c) for a period of \_\_\_\_ months.

The filing fee is calculated below:

	Claims as Amended	Previously Paid For	Extra Claims Present	Rate	Fee Totals
RCE Fee 1.17(e):				\$790.00	= \$790.00
Total Claims:	12	- 22	= 0	x \$50.00	= \$0.00
Independents	1	- 3	= 0	x \$200.00	= \$0.00
First presentation of any Multiple Dependent Claims:				+ \$360.00	= \$0.00
CLAIMS FEE TOTAL:					= \$790.00

☒ Applicants hereby petition for an extension of time under 37 C.F.R. § 1.136(a) for the total number of months checked below:

<input checked="" type="checkbox"/>	Extension for response filed within the first month:	\$120.00	1	\$120.00
<input type="checkbox"/>	Extension for response filed within the second month:	\$450.00		\$0.00
<input type="checkbox"/>	Extension for response filed within the third month:	\$1,020.00		\$0.00
<input type="checkbox"/>	Extension for response filed within the fourth month:	\$1,590.00		\$0.00
<input type="checkbox"/>	Extension for response filed within the fifth month:	\$2,160.00		\$0.00
EXTENSION FEE SUBTOTAL:				\$120.00
EXTENSION FEE ALREADY PAID: -				\$0.00
EXTENSION FEE TOTAL				\$120.00
CLAIMS AND EXTENSION FEE TOTAL:				\$910.00
<input checked="" type="checkbox"/>	Small Entity Fees Apply (subtract ½ of above):			\$455.00
<input type="checkbox"/>	Suspension of action requested under 37 C.F.R. § 1.103(c)			\$0.00
TOTAL FEE:				\$455.00

☒ A check in the amount of \$455.00 to cover the filing fee is enclosed.

☒ The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 19-0741. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 19-0741.

Respectfully submitted,

Date 1/13/05

FOLEY & LARDNER LLP  
Customer Number: 22428

By M. Scott McBride

M. Scott McBride  
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